



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 2, 1996

BY FACSIMILE AND CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James Bopp, Jr., Esq.
Bopp, Coleson & Bostrom
2 Foulkes Square
401 Ohio St.
P.O. Box 8100
Terre Haute, IN 47808-8100

Re: MUR 3774
National Right to Life Committee, Inc.

Dear Mr. Bopp:

In going over your client's response to the Commission's Subpoena to Produce Documents and Order to Provide Written Answers in the above referenced matter, some questions were raised which require clarification. Please review the following items and provide the requested information to this Office by February 20, 1996.

We note initially that the Commission's subpoena is directed to Mr. O'Steen in his capacity as Executive Director of the National Right to Life Committee, Inc. ("NRLC"). Pursuant to the Commission's definitions and instructions, the questions propounded encompass the NRLC as the named respondent in this action as well as all officers, employees, agents, or attorneys thereof. To the extent that your client's responses are couched in terms of Mr. O'Steen's recollection, knowledge and belief, we assume that he has consulted with all persons within the organization who have knowledge that would assist Mr. O'Steen in formulating a full and accurate answer to the Commission's discovery requests. If this is not the case, please review your response and supplement it as appropriate.

In addition to these general concerns, please provide the following information:

QUESTION 2 (c) We note that while your clients have produced documents evidencing the payments received from the National Republican Senatorial Committee ("NRSC") and documents evidencing some of the uses to which these payments were put, no documents were produced which contain, relate to, or reference communications

between the NRLC and the NRSC. For example, your clients indicate that Mr. O'Steen recalls certain dates of meetings between himself and the NRSC but the response does not state what source Mr. O'Steen consulted. If Mr. O'Steen consulted a date book or calendar memorializing these meetings, copies of such records should be produced.

QUESTION 2(e): Your client's response states that of the \$85,000 received from the NRSC in 1992, \$17,372.75 was spent on phone banks and \$25,000 was paid to the Christian Coalition. State how the remaining \$42,628 was used. With regard to the payments received from the NRSC in 1994, you provide a general response that states the payments were used for the "general purposes of the NRLC. . . ." State specifically how the payments were used.

QUESTION 2(f): We note that no documents were produced in response to this question regarding whether the NRLC communicated the use of the payments to the NRSC, and as your response makes no mention of any documents, we assume that no such documents exist which contain evidence of, relate to or reference such communications. If this is not the case, please review your response and supplement it as appropriate.

QUESTION 3: Please provide the following:

- a. Copies of the checks (front and back) evidencing the NRLC's 1992 payments to the Christian Coalition discussed in your response.
- b. Legible copies of bank statements including payments, or any portions of payments treated as loans, to the Christian Coalition, Minnesota Citizens Concerned for Life, Inc., Oregon Right to Life, New Jersey Committee for Life and the California Pro-Life Council.
- c. Bank statements for December 1992 for Signet Bank accounts 6670042040 and 6670042008.

We note that documents of certain types, such as in-house correspondence and memoranda, were not produced. We assume this means that no such documents exist which relate to or reference the timing, use or purpose of the payments. If this is not the case, please review your response and supplement it as appropriate.

QUESTION 6: Clarify whether the \$50,000 expended by NRLC for telephone in connection with the U.S. Senate election in Minnesota in 1994 is separate and distinct from the \$50,000 contribution from NRLC to MCCL, Inc. in 1994.

QUESTION 7: Provide the following:

- a. Copies of the guidelines provided to Optima Direct, Inc. pursuant to the November 4, 1994 Letter of Agreement produced at Exhibit F pages 9-13 of your client's response.
- b. Identify the individual who acted as program manager for Optima Direct, Inc. pursuant to Paragraph C of the November 4, 1994 Letter of Agreement.

QUESTION 10: Please provide complete tax returns reflecting the entire calendar year for 1992 and 1994 with all attached schedules.

The information requested above will aid us in moving this investigation forward. However, please be aware that the Commission reserves the right both to seek clarification or further responses with respect to material submitted by your clients, and to judicially enforce its subpoena in the event that such a step should become necessary. If you have additional questions, please contact myself or Dawn Odrowski at (202) 219-3690. Thank you for your prompt attention to this matter. We look forward to your submission.

Sincerely,



Elizabeth M. Stein
Attorney